

THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 23rd day of FEBRUARY, 1994, there was conducted a SPECIAL PUBLIC Session of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE COURT MET AT:
10:00 A.M.

PRESENT:

COUNTY JUDGE

LUCINO ROSENBAUM, JR.
COMMISSIONER, PRECINCT NO. 1

CARLOS H. CASCOS
COMMISSIONER, PRECINCT NO. 2

JAMES R. MATZ
COMMISSIONER, PRECINCT NO. 3

NATIVIDAD VALENCIA
COMMISSIONER, PRECINCT NO. 4

KIM M. MORENO, DEPUTY
COUNTY CLERK

ABSENT:

JUDGE ANTONIO O. GARZA, JR.

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The meeting was called to order by Judge Pro-tem Carlos H. Cascos. He then asked Mr. Juan Montoya, Administrative Assistant Precinct No. 1, to lead the Court and audience in reciting the Pledge of Allegiance to the Flag.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on February 18, 1994, at 8:27 A. M.:

(1) APPROVAL OF COUNTY CLAIMS

At this time, Mr. Mark Yates, County Auditor, presented late claims as to the Tax-Assessor Collector's Office, Warrant No. 93337, in the amount of \$1,300.00 and Mario's Electronics, Warrant No. 93336, in the amount of \$937.54, for approval.

Commissioner Valencia moved that the County Claims be approved as presented, inclusive of the late claims as to the Tax-Assessor Collector's Office, Warrant No. 93337, in the amount of \$1,300.00 and Mario's Electronics, Warrant No. 93336, in the amount of \$937.54, as recommended by the County Auditor.

The motion was seconded by Commissioner Rosenbaum and carried the following vote:

AYE: Commissioners Rosenbaum, Matz, and Valencia

NAY: None

ABSTAIN: Judge Pro-tem Cascos as to the claim of:
LANDAIR TRAVEL:
Warrant No. 93206 - \$3,055.00, and
Warrant No. 93207 - \$ 160.00

The Affidavit is as follows:

(2) **APPROVAL OF BUDGET AMENDMENTS AND/OR SALARY SCHEDULES**

Upon motion by Commissioner Valencia, seconded by Commissioner Rosenbaum and carried unanimously, the Fiscal Year 1993 Budget Amendment No. 93-41, the Fiscal Year 1994 Budget Amendment No. 94-14, and the Salary Schedules for the Health Department, Fund No. 27-637, and the Computer Center Department, Fund No. 10-408, were approved.

The Budget Amendments and Salary Schedules are as follow:

(3) **IN THE MATTER OF MINUTES' OF FEBRUARY 2, AND 8, 1994 (TABLED) AND FEBRUARY 15, 1994**

February 15, 1994

Commissioner Valencia moved that the Minutes of the Regular Meeting held on February 15, 1994, at 1:30 P.M. be approved

The motion was seconded by Commissioner Matz and carried the following vote:

AYE: Commissioners Rosenbaum, Matz, and Valencia

NAY: None

ABSTAIN: Judge Pro-tem Cascos.

February 2, and 8, 1994 (TABLED)

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Minutes of February 2, and 8, 1994, were TABLED for one (1) week.

(4) **CONSIDERATION AND POSSIBLE ACCEPTANCE OF PRESCRIPTION RIGHT-OF-WAY EASEMENT LOCATED IN PRECINCT NO. 4, FOR MAINTENANCE AS A CAMERON COUNTY ROADWAY, KNOWN AS JIMENEZ ROAD FROM OHIO STATION ROAD, WEST TO RANGERVILLEROAD, WHICH IS 1.9 MILES LONG BY 40 FEET WIDE. FROM RANGERVILLE ROAD WEST TO A POINT AT LEAST 1.8 MILES LONG BY 40 FEET WIDE AND THEN TO THE END OF THE ROAD, WHICH IS 1 MILE LONG BY 60 FEET WIDE**

Commissioner Valencia moved that the "prescription" right-of-way easement, located in Precinct No. 4, be accepted for maintenance as a Cameron County Roadway, said road known as Jimenez Road from Ohio Station Road, west to Rangerville Road, that being 1.9 miles long by 40 feet wide; and from Rangerville Road, west to a point at least 1.8 miles long by 40 feet wide to the end of the road, that being one (1) mile long by 60 feet wide.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

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(5) **AUTHORIZATION TO ADOPT AN ASSESSMENT
RESOLUTION FOR ANAQUITOS ESTATES**

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Assessment Resolution for Anaquitos Estates was adopted.

The Resolution is as follows:

(6) **AUTHORIZATION TO ADOPT A RESOLUTION SETTING
THE PUBLIC HEARING ON THE SPECIAL ASSESSMENT
PLAN FOR ANAQUITOS ESTATES FOR MARCH 22, 1994**

Commissioner Matz moved that the Resolution setting the Public Hearing on the Special Assessment Plan for Anaquitos Estates for March 22, 1994, be adopted.

The motion was seconded by Commissioner Rosenbaum and carried unanimously.

The Resolution is as follows:

"CONSENT" AGENDA ITEMS

THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the

"Consent" Agenda Items were approved as follow, with the exception of Item No. 11 and Item No. 12:

- (7) APPROVAL OF TEXAS DEPARTMENT OF HEALTH DOCUMENT NO. C5000223 BETWEEN THE TEXAS DEPARTMENT OF HEALTH AND THE CAMERON COUNTY HEALTH DEPARTMENT FOR THE PERIOD OF JANUARY 1, 1994 THROUGH DECEMBER 31, 1994

The Document follows:

- (8) AUTHORIZATION TO EXTEND COMPLETION DAY ON THE NEW JUVENILE DETENTION FACILITY BY NINE (9) DAYS DUE TO BAD WEATHER. SUBSTANTIAL COMPLETION DATE WILL NOW BE DECEMBER 4, 1994

The Change Order follows:

- (9) AUTHORIZATION TO REAPPOINT MR. CARLOS AYALA TO THE BOARD OF EMERGENCY SERVICES COMMISSIONERS OF THE CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1
- (10) ACTION ON CONSTRUCTION CHANGE ORDER NO. 4 TO THE PARKING LOT AT IOWA AVENUE COUNTY HEALTH CLINIC TO BE PAID FOR OUT OF THE CONTINGENCY LINE ITEM
- (13) AUTHORIZATION FOR COUNTY JUDGE TO EXECUTE CONTRACTS WITH GUZMAN AND ASSOCIATES, INC., FOR ENGINEERING SERVICES FOR LAS PALMAS, SECTIONS NO. 1, 2, AND 3 AND LAS PALMAS, SECTION NO. 4, SANITARY SEWER IMPROVEMENTS
- (14) ACTION TO AUTHORIZE THE PROGRAM DEVELOPMENT AND MANAGEMENT DIRECTOR TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH THE TEAM OF BENTON/BLUM/MARTIN & BROWN HOUSING GROUP, PURSUANT TO THE IMPLEMENTATION OF THE CAMERON PARK COLONIA STUDY AND GENERAL PLAN
- (15) AUTHORIZATION TO TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO AVAILABLE FUNDS IN THE BUDGETS:
 - a) County Auditor and two (2) Assistant Auditors to attend a two-day Seminar at the Lyndon B. Johnson School of Public Affairs on January 31, 1994, in Austin, Texas;
 - b) Law Library Employee to attend the 1994 Seminar for "County Law Librarians" on March 24 - 25, 1994, in Austin, Texas;

- c) Two (2) Jail Employees to attend "The Assessment of Violence Potential and the Psychopathic Personality Conference" on March 7 - 8, 1994; and
- d) Tax Assessor Collector to attend "TACA - Tax Assessor Collector Association Workshop" Annual Conference, on February 23 - 24, 1994, in Amarillo, Texas.

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ITEM NO. 7

**APPROVAL OF TEXAS DEPARTMENT OF HEALTH
DOCUMENT NO. C5000223 BETWEEN THE TEXAS
DEPARTMENT OF HEALTH AND THE CAMERON
COUNTY HEALTH DEPARTMENT FOR THE PERIOD
OF JANUARY 1, 1994 THROUGH DECEMBER 31, 1994**

The Document follows:

ITEM NO. 8

**AUTHORIZATION TO EXTEND COMPLETION DAY
ON THE NEW JUVENILE DETENTION FACILITY BY
NINE (9) DAYS DUE TO BAD WEATHER.
SUBSTANTIAL COMPLETION DATE WILL NOW BE
DECEMBER 4, 1994**

THE CHANGE ORDER FOLLOWS:

(11) ACTION APPOINTING A MEMBER OF THE COMMISSIONERS' COURT TO SERVE AS AN ALTERNATE FOR THE COUNTY JUDGE ON THE EMPOWERMENT ZONE ADVISORY COMMITTEE MEETINGS

Mr. Frank Bejarano, Program Development and Management Director, explained that the Empowerment Zone Committee meetings were being held weekly at 8:00 A.M. in Weslaco and he requested that the Court appoint an Alternate to represent the County Judge in his absence.

Mr. Bejarano stated the Empowerment Zone would probably be a multi-County Application which would involve critical decisions, such as budget and boundaries limitations, and suggested that Cameron County be represented at the Meetings.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, Commissioners Cascos and Matz were appointed to serve as Alternates No. 1 and No. 2, respectively, at the Empowerment Zone Advisory Committee Meetings in the absence of the County Judge.

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(12) IN THE MATTER FOR CAMERON COUNTY TO LEASE SPACE IN OSCAR DANCY PARK TO MR. G'S SNOW CONES FOR 3 DAYS DURING CHARRO DAYS (DENIED)

At this time, Mr. Joe Galvan, Bridge Systems Director, explained that, traditionally, the spaces had been leased to "non-profit" organizations, and he recommended that the request be denied because the vendor was a "for-profit" business.

Upon motion by Commissioner Rosenbaum, seconded by Commissioner Valencia and carried unanimously, the lease request by Mr. G's Snow Cones was DENIED.

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(16) EXECUTIVE SESSION

Upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the Court met in Executive Session at 10:25 A. M. to discuss the following matter:

- a) Discuss Status Report and advise from Attorney in Case No. B-88-145, Flores vs. County, United States District Court, Southern District, Brownsville Division, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A).

Upon motion by Commissioner Matz, seconded by Commissioner Valencia and carried unanimously, the Court reconvened in Regular Session at 11:05 A. M.

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(17) ACTION RELATIVE TO EXECUTIVE SESSION

- a) Action concerning advise from Attorney in Case No. B-88-145, Flores vs. County, United States District Court, Southern District, Brownsville Division.

Judge Pro-tem Cascos reported that the Court received a Report from Counsel and after some discussion, it was

the consensus of the Court as determined by polling, that said Report be acknowledged.

Upon motion by Commissioner Valencia, seconded by Commissioner Matz and carried unanimously, the Status Report from the Attorney regarding Case No. B-88-145, Flores vs. Cameron County, United States District Court, Southern District, Brownsville Division, was acknowledged.

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There being no further business to come before the Court, upon motion by Commissioner Matz, seconded by Commissioner Rosenbaum and carried unanimously, the meeting was adjourned.

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APPROVED this 15th day of **March**, 1994.

ANTONIO O. GARZA, JR.
COUNTY JUDGE

ATTEST:

JOE G. RIVERA,
COUNTY CLERK AND EX-OFFICIO CLERK
OF THE COMMISSIONERS' COURT OF
CAMERON COUNTY, TEXAS